

## **REMARKS**

This Response is responsive to the Office Action mailed June 14, 2007 ("Office Action").

### **Claim Amendments**

Claim 18 has been amended to incorporate the limitations of claim 26. Accordingly, claim 26 has been canceled. Claim 27 has been re-written in independent form and has been amended to incorporate the limitation of claim 18. Claim 31 has been amended to include the inadvertently omitted period at the end of the claim. Claim 36 has been amended to replace "of the same" with "thereof." Claims 38-44 corresponding to claims 19-25 have been added and depend from amended claim 27. No new matter is introduced by any of these amendments.

### **Claim Rejections – 35 U.S.C. §102(b) or 35 U.S.C. §103(a)**

Claims 1-14 and 37 stand rejected under 35 U.S.C. §102(b) as anticipated by Stevens 2002/0155329 ("Stevens '329") or, in the alternative, stand rejected under 35 U.S.C. §103(a) as obvious over Stevens '329.

According to the Office Action, the Examiner sees no distinction between the process disclosed by Stevens '329 and that recited in claims 1-14 and 37 of the present invention. Office Action, pp. 2. Applicants' previous arguments are hereby incorporated by reference.

Claims 1 and 37 specifically recite that one of the steps of the method for generating hydrogen of the present invention is the hydrating step – the hydration step is a part of independent claims 1 and 37, it is not an optional step recited in a dependent claim. The recitation "when the monitored amount of hydrogen or the at least one impurity in the reformat is at a predetermined level" explains when the hydration step will occur. With respect to the anticipation rejection

based on Stevens '329, Stevens '329 does not expressly or inherently disclose the separate hydration step of the present invention. As a result, reconsideration and withdrawal of the rejection of claims 1-36 under §102(b) is respectfully requested.

With respect to the obviousness rejection based on Stevens '329, Stevens '329 does not suggest the separate hydration step of the present invention. As a result, reconsideration and withdrawal of the rejection of claims 1-36 under §103(a) is respectfully requested.

#### **Claim Rejections – 35 U.S.C. §112, Second Paragraph**

Claims 1-14 18-27, and 31-37 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regard as the invention.

According to the Examiner, claims 1-14 and 37 are indefinite because the "predetermined level" would be in the mind of the operator of the process and not readily discernable. Applicants respectfully disagree. The predetermined level is readily discernable and is supported by the Specification. The "predetermined level" is discussed in paragraphs 0006, 0054, 0068, and 0069. In addition, the "predetermined level" is depicted in Figure 4. Further, the "predetermined level" is recited in claims 1-13 and 37. As recited in claims 1 and 37, in addition to hydrogen, there may be different impurities present in the reformat, such as carbon monoxide, carbon dioxide, or unreacted hydrocarbon fuel that the operator would like to monitor. In addition to the specific predetermined levels recited in claims 2-13 for the specific impurities recited in claims 1 and 37, one of skill in the art would appreciate the applicable levels for hydrogen or impurities in the reformat.

According to the Examiner, claims 18-28 are indefinite as to whether the generation of hydrogen is required. In response, claim 18 has been amended to incorporate the limitations of claim 26. Amended claim 18 now includes

reforming a hydrocarbon fuel. In addition, in response, claim 27 has been re-written in independent form and has been amended to incorporate the limitation of claim 18. Amended claim 27 includes reforming a hydrocarbon fuel. Claims 38-44 corresponding to claims 19-25 have been added and depend from amended claim 27.

According to the Examiner, claims 31-36 are indefinite because claim 31 does not end with a period. In response, claim 31 has been amended to include the inadvertently omitted period. In addition, according to the Examiner, claim 36 is indefinite as to what "the same" refers to. In response, claim 36 has been amended to replace "of the same" with "thereof."

Reconsideration and withdrawal of the rejection of claims 1-14, 18-27, and 31-37 under 35 U.S.C. §112, second paragraph, is respectfully requested.

Claims 18-27 also stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. According to the Examiner, the specification does not enable one to produce hydrogen by carrying out the steps recited in claim 18. As discussed above, claim 18 has been amended to incorporate the limitations of claim 26. Amended claim 18 now includes reforming a hydrocarbon fuel. In addition, in response, claim 27 has been re-written in independent form and has been amended to incorporate the limitation of claim 18. Amended claim 27 includes reforming a hydrocarbon fuel. In addition, paragraph 0071 and Figure 6 illustrate these embodiments. Reconsideration and withdrawal of the rejection of claims 18-27 under 35 U.S.C. §112, first paragraph, is respectfully requested.

#### **Allowed Subject Matter**

The Examiner has indicated that claims 15-17 and 28-30 are allowed. Applicants extend their gratitude to the Examiner for identifying this allowed subject matter.

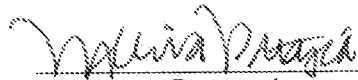
Application No. 10/827,189  
Amendment  
December 10, 2007

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All of the stated grounds of objection and rejection are believed to have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



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